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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MEDARC, LLC,
Plaintiff(s),

v.

UMR, INC., et al.,
Defendant(s).

Case No. 2:21-cv-00286-GMN-NJK

REPORT AND RECOMMENDATION

13 On April 20, 2021, the Court ordered Plaintiff to obtain new counsel by May 20, 2021.
14 Docket No. 46. On May 20, 2021, the Court granted Plaintiff's motion to extend that deadline to
15 June 10, 2021. Docket No. 48. Plaintiff did not comply with that deadline. On July 26, 2021, the
16 Court ordered Plaintiff to show cause why case-dispositive sanctions should not be imposed.
17 Docket No. 52. The deadline to respond to the order to show cause was set for August 9, 2021.
18 *Id.* Plaintiff did not respond.

19 "A corporation may appear in federal court only through licensed counsel." *United States*
20 *v. High Country Broad. Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993). In this case, Plaintiff's failure
21 to comply with the Court's order to retain counsel is an abusive litigation practice that has
22 interfered with the Court's ability to hear this case, delayed litigation, disrupted the Court's timely
23 management of its docket, wasted judicial resources, and threatened the integrity of the Court's
24 orders and the orderly administration of justice. Sanctions less drastic than dismissal are
25 unavailable because Plaintiff has been unable or unwilling to comply with the Court's order to
26 retain counsel and the Ninth Circuit has held that case-dispositive sanctions are appropriate for a
27 corporation's failure to retain counsel for the duration of the litigation since corporations may not
28 appear in federal court without licensed counsel. *Id.*

1 Accordingly, the undersigned **RECOMMENDS** that the case be **DISMISSED**.

2 Dated: August 16, 2021

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Nancy J. Koppe
United States Magistrate Judge

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6 **NOTICE**

7 This report and recommendation is submitted to the United States District Judge assigned
8 to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and
9 recommendation must file a written objection supported by points and authorities within fourteen
10 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file
11 a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951
12 F.2d 1153, 1157 (9th Cir. 1991).